

1 RENE L. VALLADARES
Federal Public Defender
2 Nevada State Bar No. 11479
REBECCA LEVY
3 Assistant Federal Public Defender
411 E. Bonneville, Ste. 250
4 Las Vegas, Nevada 89101
(702) 388-6577/Phone
5 (702) 388-6261/Fax
Rebecca_Levy@fd.org
6

7 Attorney for Jimmy Carter Kim

8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**
10

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 JIMMY CARTER KIM,
15 Defendant.
16

Case No. 2:18-mj-836-DJA

ORDER [TO CONTINUE
PRELIMINARY HEARING
(Tenth Request)

17 IT IS HEREBY STIPULATED AND AGREED, by and between
18 Nicholas A. Trutanich, United States Attorney, and Christopher Burton, Assistant United States
19 Attorney, counsel for the United States of America, and Rene L. Valladares, Federal Public
20 Defender, and Rebecca Levy, Assistant Federal Public Defender, counsel for Jimmy Kim, that
21 the Preliminary Hearing currently scheduled on July 10, 2020 at 4:00 pm, be vacated and
22 continued to a date and time convenient to the Court, but no sooner than ninety (90) days.

23 This Stipulation is entered into for the following reasons:

24 1. In light of the recent events surrounding the COVID-19 pandemic and the Center
25 for Disease Control's guidelines recommending social distancing from others when possible of
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1 approximately 6 feet, undersigned counsels request a continuance to allow time to meet with
2 their clients to discuss the case and to further decide how to best proceed with the case

3 2. The parties require additional time to discuss the potential for Pre-Indictment
4 negotiations.

5 3. Counsel for the defendant needs additional time to conduct investigation in this
6 for case in order to determine whether there are any issues that must be litigated prior to a
7 preliminary hearing and whether the case will ultimately go to preliminary hearing or will be
8 resolved through negotiations. Specifically, Counsel for the defendant needs additional time
9 for forensic investigation of discovery and to meet with the client to discuss the details prior to
10 proceeding forensic investigation of discovery and meet with the client to discuss the details
11 prior to proceeding.

12 3. Defendant is incarcerated and does not object to a continuance.

13 4. Both parties agree to the continuance.

14 5. Additionally, denial of this request for continuance could result in a miscarriage
15 of justice.

16 This is the tenth request for continuance filed herein.

17 DATED this 8th day of July, 2020.

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19 RENE L. VALLADARES
20 Federal Public Defender

NICHOLAS A. TRUTANICH
United States Attorney

21 */s/ Rebecca Levy*
22 By _____
23 REBECCA LEVY
Assistant Federal Public Defender

/s/ Christopher Burton
By _____
CHRISTOPHER BURTON
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 JIMMY CARTER KIM,

7 Defendant.
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Case No. 2:18-mj-836-DJA

ORDER

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10 Based on the Stipulation of counsel and good cause appearing,

11 IT IS THEREFORE ORDERED that the Preliminary Hearing currently scheduled on
12 July 10, 2020 at the hour of 4:00 p.m., be vacated and continued to October 16, 2020, at
13 the hour of 4:00 p.m. in Courtroom 3A.

14 DATED this 9th day of July, 2020.



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17 DANIEL J. ALBREGTS, U.S. Magistrate Judge

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19 **Given this is the Tenth request of a continuance and the matter is nearly
20 two years old, this will be the final continuance absent extreme
21 unforeseen circumstances.
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